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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,803	07/07/2004	Tachio Ono	03500.016946	8287

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FITZPATRICK CELLA HARPER & SCINTO  
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NEW YORK, NY 10112

EXAMINER
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KHOKHAR, ASIF I

ART UNIT	PAPER NUMBER
2622	

MAIL DATE	DELIVERY MODE
10/16/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/500,803

**Applicant(s)**

ONO, TACHIO

**Examiner**

Asif Khokhar

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 and 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. Applicant's arguments filed on 09/27/2007 have been fully considered but they are not persuasive.

With regard to claim 1, applicant argues that "The applied art is not seen to disclose or suggest the feature of Claim 1, and in particular is not seen to disclose or suggest at least the feature of setting a second port in a disable state responsive to access of removable medium through a first port by a first external apparatus, and setting the first port in a disable state responsive to access of the removable medium through the second port by a second external apparatus." Page 8, paragraph 4. Applicant further argues that "Kabu'400 simply chooses a default slot, rather than disabling a second memory card slot responsive to access of the removable medium through the first memory card slot by a first external apparatus." Page 9, paragraph 4. In response to applicant argument, the examiner noted that Kabu '400 does disclose the feature of setting a second port in a disable state responsive to access of removable medium through a first port by a first external apparatus, and setting the first port in a disable state responsive to access of the removable medium through the second port by a second external apparatus. As shown in fig 8 after step 65, if priority slot, first port, is settled to be accessed, second slot is disabled. If second slot, second port, is settled to be accessed, first slot is disable.

Even though Kabu '400 choose a default slot, Kabu '400 still disable first slot if second slot is being accessed and disable second slot if first slot is being access, see fig 8.

Applicant made same argument for claim 11. In response to applicant argument, the examiner noted that Kabu '400 does disclose the feature of setting a second port in a disable state responsive to access of removable medium through a first port by a first external apparatus, and setting the first port in a disable state responsive to access of the removable medium through

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the second port by a second external apparatus. As shown in fig 8 after step 65, if priority slot, first port, is settled to be accessed, second slot is disabled. If second slot, second port, is settled to be accessed, first slot is disable.

Even though Kabu '400 choose a default slot, Kabu '400 still disable first slot if second slot is being accessed and disable second slot if first slot is being access, see fig 8.

For this reason, rejection is repeated.

The applicant had canceled claims 6-10 and 16-20.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubo et al US2001/0006400 A1.

Claim 1 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubo et al US2001/0006400 A1.

With reference to claim 1, Kobo '400 discloses a storage apparatus that connects to a remove able medium (Digital camera with memory cards, Fig. 1A): a first interface unit (a memory cards of 40a and 40b comprise portable storing media and may be mounted in and removed from the slots 41a and 41b, page 3, paragraph 0047 Fig. 4) having a first port

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(Connector 41a-1 which is mechanically and electrically connected to the memory card mounted in the slot 41a is located inside the slot 41a, page 3, paragraph 0030); and a second interface Unit (The memory cards 40a and 40b comprise portable storing media and may be mounted in and removed from the slots 41a and 41b, page 3, paragraph 0047) having a second port (Connector 41b-1 which is mechanically and electrically connected to the memory card mounted in the slot 41b is located inside the slot 41a, page 2, paragraph 0030), A control unit that controls the first port and the second port (CPU 17, Fig. 4), wherein said control unit sets the second port in the disable state responsive to access of the removable medium through the first port by a first external apparatus a external apparatus (As shown in Fig. 8, if CPU set the second slot in disable state if first port is being access and if card has sufficient memory space. A memory card is an external apparatus), wherein said control unit sets the first port in the disable state responsive to access of the removable medium through the second port by a first external apparatus a external apparatus (As shown in Fig. 8, if CPU set the first slot in disable state if second port is being access and if card has sufficient memory space. A memory card is an external apparatus)

With reference to claim 2, Kobo '400 discloses a storage apparatus (digital camera, Fig. 1A) If the first port is set in the disabled state, the first port is placed in a state where electrical connection with the first external apparatus is impossible, and wherein if the second port is set in the disabled state, the second port is placed in a state where electrical connection with the second external apparatus is impossible. (The first mode is a fixed mode in which a pre-determined slot is selected as the slot to be accessed from among the two slots 41a and 41b. This fixed mode is

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associated with the upper level of the setting alternating switch 6b, such that this mode becomes activated when the user moves the setting alternating switch 6b to the upper level. In this mode, the specified slot, information regarding which is stored in the RAM 19, is read, and the slot that corresponds to the specified slot is determined to be the slot to be accessed. Either the slot 41a or 41b may be specified as the specified slot. For example, where the slot 41b is set as the specified slot and memory cards 40a and 40b are mounted in both slots 41a and 41b, the slot 41b is selected as the slot to be accessed at all times in this fixed mode, page 4, paragraph 0058, line 1.)

With reference to claim 5, Kobo '400 discloses the storage apparatus is a digital video camera (a digital camera, Fig. 1A)

With reference to claim 11, Kobo '400 discloses a storage apparatus that connects to a remove able medium (Digital camera with memory cards, Fig. 1A): a first interface unit (a memory cards of 40a and 40b comprise portable storing media and may be mounted in and removed from the slots 41a and 41b, page 3, paragraph 0047 Fig. 4) having a first port (Connector 41a-1 which is mechanically and electrically connected to the memory card mounted in the slot 41a is located inside the slot 41a, page 3, paragraph 0030); and a second interface Unit (The memory cards 40a and 40b comprise portable storing media and may be mounted in and removed from the slots 41a and 41b, page 3, paragraph 0047) having a second port (Connector 41b-1 which is mechanically and electrically connected to the memory card mounted in the slot 41b is located inside the slot 41a, page 2, paragraph 0030), A control unit that controls the first port and the second port (CPU 17, Fig. 4), A determination unit that determines whether

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a first external apparatus is capable of accessing the removable medium through the first port and that determines whether a second external apparatus is capable of accessing the removable medium through the second port( an access slot selector 172, paragraph 0051. Which determine if the first slot if the slot to be access or the second slot is the slot to be access, Fig. 5, Fig.

8),wherein said control unit sets the second port in the disable state responsive to access of the removable medium through the first port by a first external apparatus a external apparatus (As shown in Fig. 8, if CPU set the second slot in disable state if first port is being access and if card has sufficient memory space. A memory card is an external apparatus), wherein said control unit sets the first port in the disable state responsive to access of the removable medium through the second port by a first external apparatus a external apparatus (As shown in Fig. 8, if CPU set the first slot in disable state if second port is being access and if card has sufficient memory space. A memory card is an external apparatus.)

With reference to claim 12, Kobo discloses a storage apparatus (digital camera, 1A) If the first port is set in the disabled state, the first port is placed in a state where electrical connection with the first external apparatus is impossible, and if the second port is set in the disabled state, the second port is placed in a state where electrical connection with the second external apparatus is impossible. (The first mode is a fixed mode in which a pre-determined slot is selected as the slot to be accessed from among the two slots 41a and 41b. This fixed mode is associated with the upper level of the setting alternating switch 6b, such that this mode becomes activated when the user moves the setting alternating switch 6b to the upper level. In this mode, the specified slot, information regarding which is stored in the RAM 19, is read, and the slot that

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corresponds to the specified slot is determined to be the slot to be accessed. Either the slot 41a or 41b may be specified as the specified slot. For example, where the slot 41b is set as the specified slot and memory cards 40a and 40b are mounted in both slots 41a and 41b, the slot 41b is selected as the slot to be accessed at all times in this fixed mode, page 4, paragraph 0058, line 1) .

With reference to claim 15, Kobo discloses the storage apparatus is a digital video camera (a digital camera, Fig. 1a).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo US2001/0006400 A1 as applied to claim 1 above, and further in view of Kubo US2001/0012064 A1.

With reference to claim 3, Kubo '400 discloses a storage apparatus (Digital Camera, Fig. 1A), but does not disclose: the first interface unit conforms to an IEEE1394-1995 standard or an IEEE1394-2000 standard.



In Kubo '064, the external interface 20 is for communications in compliance with a USB (universal serial bus) or IEEE-1394 standard or the like (page 3, paragraph 0051). It allows input/output of captured image data from/to external equipment through a transmission medium such as a cable connected to the external interface.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use IEEE 1394 as first digital interface as thought by Kubo '064. The IEEE 1394 multimedia connection enables simple, low-cost, high-bandwidth isochronous (real-time) data interfacing between computers, peripherals, and consumer electronics products such as camcorders, VCRs, printers, PCs, TVs, and digital cameras. With IEEE 1394-compatible products and systems, users can transfer video or still images from a camera or camcorder to a printer, PC, or television, with no image degradation. It is a low cost cross-platform solution standardizes to transport all types of digital data.

With reference to claim 4, Kubo '400 has been Kubo '400 discloses a storage apparatus (digital camera, Fig. 1a), but does not disclose: the second interface conforms to a USB 1.1 standard or a USB 2.0 standard.

In Kubo '064, the external interface 20 is for communications in compliance with a USB (universal serial bus) or IEEE-1394 standard or the like (page 3, paragraph 0051). It allows input/output of captured image data from/to external equipment through a transmission medium such as a cable connected to the external interface.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use USB 1.1 standard as second digital interface as thought by

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Kubo '064. The major function of USB is to define an external expansion bus, which makes adding peripherals to a PC low cost and as easy as hooking up a telephone to a wall-jack.

With reference to claim 13, subject matter disclosed in claim 13 has been previously discussed in claim 3.

With reference to claim 14, subject matter disclosed in claim 14 has been previously discussed in claim 4.

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asif Khokhar whose telephone number is (571) 270-3221. The examiner can normally be reached on Monday- Friday 7:30am-5pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VU NGOC YEN can be reached on 571 272 7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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TUAN HO  
PRIMARY EXAMINER